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TO

Provide for and regulate the user by purchasing tenants of A.D. 1901.
Rights of Turbary.

B E it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

- 5 1.—(1.) Where any tenants of holdings on an estate have agreed to purchase their holdings, the Land Commission may, if the landlord agrees to sell any bog on the estate, purchase the same for the benefit of any tenants or purchasers of holdings on the estate who have been accustomed to exercise, whether as of right or by permission, any privilege of turbary over any bog on the estate, or may purchase the same for the benefit of any other tenants or purchasers of holdings on such estate and of other inhabitants of the neighbourhood.
- (2.) *The amount of the purchase money and costs shall be defrayed as part of the expenses of the Land Commission,* and all sums received by the Land Commission in respect of bogs purchased in pursuance of this section shall, if directed by the Treasury, be applied as an appropriation in aid of money provided by Parliament for the expenses of the Land Commission, and so far as not so directed, shall be paid into the Exchequer.
- (3.) The Land Commission, before purchasing any bog, shall be reasonably satisfied that they will ultimately realise by means of the bog an amount sufficient to repay the purchase money with interest at the rate of *three and one eighth per centum per annum.*
- 25 2. Where the Land Commission purchase a bog on an estate, and any tenants or purchasers of holdings on the estate have been accustomed, whether as of right or by permission to exercise any
- [Bill 378.]

Purchase
of bog by
Land Com-
mission.

Grant of
privilege of
turbary.

A.D. 1891. privilege of turbary, the Commission shall grant them that privilege, subject to the provisions herein-after contained as to payment, conditions, and regulations, and so far as such grants shall not extend, may grant privileges of turbary to the tenants or purchasers of holdings on the estate and to other inhabitants of the neighbourhood, 5 or any of them, and in every case shall require such payments as the Land Commission consider will, after deducting current expenses, pay off with interest the purchase money and costs of purchase, and may make such conditions and regulations as they think expedient as to the exercise of the privileges granted. 10

Sale of
exhausted
bog.

3. When the bog or any part thereof is exhausted for purposes of turbary the Land Commission may sell the same.

Regulations
for exercise
of rights of
turbary.

4.—(1.) Where a holding for the purchase of which an agreement has been entered into by a tenant comprises a bog which is subject to a right of turbary exercisable by persons other than the proprietor of the holding, the Land Department on the prescribed application may make regulations for the purpose of securing that the exercise of the right shall not prevent the future reclamation of the bog, and that such persons shall have reasonable facilities for the exercise of the said rights. 15

(2.) Any regulations under this section may provide for the punishment of any breach of them by a fine not exceeding ten pounds to be recovered in a court of summary jurisdiction. 20

Application
of Act.

32 & 33 Vict.
c. 42.

5. This Act shall apply where holdings have been purchased whether before or after the commencement of this Act, under any of the Land Purchase Acts, or under the Irish Church Act, 1869: Provided that where a holding subject to a right of turbary has been purchased before the commencement of this Act, the regulations under this section shall be made only on the application of the proprietor of the holding. 25

Definitions.

6. In this Act—

(1.) "Land Purchase Acts" means the Landlord and Tenant (Ireland) Act, 1870 (Parts II. and III.); the Land Law (Ireland) Act, 1881 (Part V.); the Purchase of Land (Ireland) Act, 1885; the Purchase of Land (Ireland) Amendment Act, 1888, and any Act amending the same. 35

(2.) "Estate" means any lands belonging to one landlord which the Land Commission may declare form a separate estate for the purposes of this Act.

(3.) Other expressions have the same meanings respectively as in the Land Purchase Acts. 40

Short title.

7. This Act may be cited as the Turbary (Ireland) Act, 1891.

Turbury (Ireland).

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To provide for and regulate the use by
purchasing license of Rights of
Turbury.

(Proposed and brought in by
Mr. Arthur Butler and
Mr. Anthony Cussen for Ireland.)

Ordered, by the House of Commons, to be Printed,
15 June 1898.

THE HOUSE OF COMMONS AND THE HOUSE OF LORDS
AGREEING IN AN ACT TO PROVIDE FOR THE PURCHASE BY
PURCHASERS OF LICENSES FOR THE USE OF THE RIGHTS OF
TURBURY, AND APPROPRIATION THEREOF, AND FOR OTHER
PURPOSES.

[Four p.
[Bill 226.]